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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

BLUESTONE INNOVATIONS LLC,

Plaintiff,

v.

VIZIO, INC.,

Defendant.

Case No. 3: 13-cv-01770-SI

**STIPULATION AND [PROPOSED] ORDER  
FOR BRIEFING SCHEDULE AS TO VIZIO'S  
SUMMARY JUDGMENT MOTION**

Judge: Honorable Susan Illston

Pursuant to Civil L.R. 6-2 and 7-12, Plaintiff Bluestone Innovations LLC (“Bluestone”) and Defendant VIZIO, Inc. (“VIZIO”) respectfully submit the following Stipulation and [Proposed] Order extending the briefing schedule for VIZIO’s Motion for Summary Judgment of Non-Infringement set for a hearing before the Court on November 21, 2014 at 9:00 a.m. (Dkt. No.215).

The parties conferred regarding the briefing schedule and, subject to the Court’s approval, reached the following agreement regarding the dates for Bluestone’s opposition and VIZIO’s reply:

1 Bluestone's opposition to VIZIO's Motion for Summary Judgment of Non-Infringement shall be  
2 filed by 10:00 a.m. PST on October 27, 2014 and VIZIO's reply in support of its Motion for Summary  
3 Judgment of Non-Infringement shall be filed by November 7, 2014. In support of the stipulated request,  
4 the parties state as follows:

5 1. VIZIO filed its motion seeking summary judgment of non-infringement on October 3,  
6 2014. (Dkt. No. 215). VIZIO noticed its motion for a hearing on November 21, 2014 at 9:00 a.m.  
7 According to the current schedule, Bluestone's opposition brief would be due on October 17, 2014 and  
8 VIZIO's reply brief would be due on October 24, 2014. (Dkt. No. 215)

9 2. Bluestone and Nichia Corporation and Nichia America Corporation filed a stipulation in  
10 the related case before this Court proposing the same briefing schedule as set forth herein. (Dkt. No. 404  
11 in Case No. 3:12-cv-00059).

12 3. By its motion, VIZIO is seeking a finding of summary judgment of non-infringement as to  
13 all Accused Instrumentalities in this litigation and an order dismissing all claims against VIZIO.

14 4. Bluestone may rely upon a technical expert in preparing its opposition to VIZIO's motion.

15 5. The parties do not seek to change, and would like to maintain, the November 21, 2014  
16 hearing date for VIZIO's motion.

17 6. No other dates in this litigation will be affected by the requested extension to the briefing  
18 schedule.

19 For the foregoing reasons, the parties respectfully request that the Court enter an order that the  
20 briefing schedule be amended such that Bluestone's opposition brief is due by 10:00 a.m. on October 27,  
21 2014 and VIZIO's reply brief is due on November 7, 2014.

Dated: October 9, 2014

NIRO, HALLER, & NIRO

By: /s/ David J. Mahalek

DAVID J. MAHALEK

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BLUESTONE INNOVATIONS LLC

Dated: October 9, 2014

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By: /s/ Charles C. Koole

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**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, David J. Mahalek, attest that concurrence in the filing of this document has been obtained.

Dated: October 9, 2014

\_\_\_\_\_  
*/s/ David J. Mahalek*  
DAVID J. MAHALEK

**[PROPOSED] ORDER**

Based upon the foregoing Stipulation for Briefing Schedule as to VIZIO'S Summary Judgment Motion, and good cause appearing,

IT IS HEREBY ORDERED that Bluestone Innovations, L.L.C.'s opposition to VIZIO's Motion for Summary Judgment of Non-Infringement be filed by 10:00 a.m. on October 27, 2014; and VIZIO, Inc.'s reply in support of VIZIO's Motion for Summary Judgment of Non-Infringement be filed on November 7, 2014.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Susan Illston  
United States District Judge

**CERTIFICATE OF SERVICE**

I certify that all counsel of record in *Bluestone Innovations LLC v. VIZIO, Inc., et al.*, Case No. 3:13-cv-01770-SI (N.D. Cal.) are being served on October 9, 2014 with a copy of this document via the Court's CM/ECF system at the email addresses below:

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